

Under Rule 60(a), “[t]he court may correct a clerical mistake or a mistake arising from oversight or omission whenever one is found in a judgment, order, or other part of the record.” Fed. R. Civ. P. 60(a). Laschkewitsch’s arguments concerning a perceived “mistake arising from oversight or omission” parrot contentions this court rejected when granting summary judgment for

ANICO. The court has reviewed the motion under the governing standard. See Sartin v. McNair Law Firm PA, 756 F.3d 259, 264–66 (4th Cir. 2014); Rhodes v. Hartford Fire Ins. Co., 548 F. App'x 857, 859–61 (4th Cir. 2013) (per curiam) (unpublished); Kosnoski v. Howley, 33 F.3d 376, 379 (4th Cir. 1994). The motion lacks merit and is denied.

Rule 60(b)(4) authorizes the court to “relieve a party or its legal representative from a final judgment” when “the judgment is void.” Fed. R. Civ. P. 60(b)(4). According to Laschkewitsch, the judgment entered against him is void because the court lacks subject-matter jurisdiction. The court has reviewed the motion under the governing legal standard. See Wells Fargo Bank, N.A. v. AMH Roman Two NC, LLC, 859 F.3d 295, 302 n.3 (4th Cir. 2017); Wendt v. Leonard, 431 F.3d 410, 412–13 (4th Cir. 2005); Cromer v. Kraft Foods N. Am., Inc., 390 F.3d 812, 817 (4th Cir. 2004); Schwartz v. United States, 976 F.2d 213, 217 (4th Cir. 1992). The motion lacks merit and is denied.

Finally, to the extent Laschkewitsch seeks relief from the judgment of July 27, 2017, under Rule 59(e),¹ the motion does not meet the governing legal standard under Rule 59(e). See Mayfield v. Nat'l Ass'n for Stock Car Auto Racing, Inc., 674 F.3d 369, 378 (4th Cir. 2012); Zinkand v. Brown, 478 F.3d 634, 637 (4th Cir. 2007); Pac. Ins. Co. v. Am. Nat'l Fire Ins. Co., 148 F.3d 396, 403 (4th Cir. 1998); Hutchinson v. Staton, 994 F.2d 1076, 1081–82 (4th Cir. 1993). Thus, the motion is denied.

In sum, the court DENIES Laschkewitsch's motion for relief from judgment [D.E. 57]. The court GRANTS Laschkewitsch's motion to seal [D.E. 61].

SO ORDERED. This 11 day of October 2017.



JAMES C. DEVER III
Chief United States District Judge

¹ See Dove v. CODESCO, 569 F.2d 807, 809 (4th Cir. 1978).